

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Fred Godsey, #212818,

Plaintiff,

Case No. 04-74888

v.

Hon. Nancy G. Edmunds

Craig Hutchinson, et. al.,

Defendant.

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ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including the Report and Recommendation and any objections thereto, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that Defendant MDOC's Rule 12(b)(6) motion to dismiss [5] is GRANTED and MDOC is DISMISSED WITH PREJUDICE, the individual Defendants' motion for summary judgment [6] is hereby GRANTED and the individual Defendants are DISMISSED WITHOUT PREJUDICE, and Plaintiff's June 17, 2005 motion to add additional party defendants is hereby DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: August 3, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 3, 2005, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager